

REMARKS

Claims 1-14 and 16-17 are subject to restriction and/or election requirement under 35 U.S.C. 121 and 372 as follows:

Group I. Claims 1 and 8-13, drawn to an oral dosage compound in a waxy mixture.

Group II. Claims 2 and 11, drawn to an oral dosage compound in a waxy mixture and a fatty acid.

Group III. Claims 3-7, drawn to a first and second compound in a waxy mixture.

Group IV. Claim 14, drawn to a method of use of said compound of claim 1.

Group V. Claim 16, drawn to a method of preparing said compound of claim 1.

Group VI. Claim 17, drawn to a method of preparing said compound of claim 2.

Applicants wish to make a provisional election to prosecute claim 1, 8-10, 12 and 13 of Group I, without traverse. Applicants request rejoinder of claims 14 and 16 on allowance of the elected composition claims. Applicants retain the right to file divisional applications directed to the non-elected subject matter.

The Examiner also required an election of species in this case. Applicants elect to prosecute claims directed to a controlled release oral dosage form comprising a macrogol glyceride.

The claims have now been amended to recite that the mixture of waxy substances in which the active ingredient is dispersed comprises a macrogol glyceride in a stable polymorphic form. This feature of the invention is described on page 9, line 8 to page 10, line 17 of the specification.

Appln. No.: 10/576,403
Group Art Unit: 4131

Authorization is hereby granted to charge any fees to Deposit Account No. 19-2570
which may be required for entry and consideration of this paper.

Respectfully submitted,



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